

Message Text

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12

ACTION AF-18

INFO OCT-01 EUR-25 IO-14 ISO-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03

SS-20 USIA-15 SAM-01 DRC-01 SCCT-02 /139 W

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P R 221600Z FEB 74

FM AMEMBASSY CAPE TOWN

TO SECSTATE WASHDC PRIORITY 3768

INFO AMEMBASSY PRETORIA

AMEMBASSY LONDON

AMCONSUL DURBAN

AMCONSUL JOHANNESBURG

AMEMBASSY MBABANE

AMEMBASSY MASERU

WMEMBASSY GABORONE 0276

USMISSION USUN NEW YORK

C O N F I D E N T I A L CAPE TOWN 0135

EWMO. 11652: GDS

TAGS: PINS, WA

SUBJ: SWAPO AND SWAPO YOUTH LEAGUE ARRESTS

REF: (A) STATE 032160; (B) CAPE TOWN 0127

1. AS INDICATED REF (B), AMBASSADOR AND DCM TODAY CALLED ON FONMIN MULLER AND FONSEC FOURIE. DFA COUNSELOR TOTHILL ALSO PRESENT. AMBASSADOR CITED ARREST OF MERORO AND OTHERS, REFERRED TO OUR EARLIER REQUEST FOR INFORMATION AND ASKED FONMIN FOR PARTICULARS, INCLUDING CHARGES OR PLANNED CHARGES, LEGAL BASIS FOR THEIR DETENTION IN THE MEANTIME, ACCESS OF COUNSEL, PLACES OF DETENTION, TRIAL OR OTHER PROCEEDING DATES, ETC.

2. AMBASSADOR STRESSED OUR CONCERN ABOUT RELATIONSHIP OF THESE ARRESTS TO SAG'S ASSURANCES GIVEN TO UN SYG LAST APRIL CONCERNING FREEDOM OF SPEECH AND POLITICAL ACTIVITY LEADING TO SELF-DETERMINATION AND ADDED THAT USG HAD VERY MUCH HOPED THAT
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SAG WOULD IN FACT ABIDE BY THOSE ASSURANCES. IN ADDITION TO

OUR DISQUIET OVER HUMAN RIGHTS ASPECT OF THESE ARRESTS, AMBASSADOR SAID WE ARE ALSO CONCERNED OVER EFFECT THESE ARRESTS MAY HAVE REGARDING CHANCES FOR PEACEFUL RESOLUTION OF NAMIBIAN PROBLEM. HE REITERATED THAT IT IS OUR EARNEST WISH TO SEE SUCH A PEACEFUL RESOLUTION. ARREST OF SWAPO LEADERS, AS WELL AS OTHER RESTRICTIONS ON FREEDOM AND POLITICAL ACTIVITY IN NAMIBIA, INEVITABLY RAISE QUESTIONS ABOUT SAG'S INTENTIONS AND IT WAS OUR VIEW THAT THESE ARRESTS ONLY INCREASE DIFFICULTY FOR THOSE IN UN WHO HAVE BEEN ADVOCATING MODERATE COURSE.

3. AMBASSADOR STRESSED THAT IF, AS WE UNDERSTAND, TERRORISM ACT IS BASIS OF THESE DETENTIONS, SAG SHOULD BE UNDER NO ILLUSIONS ABOUT IMPACT OF ANOTHER APPLICATION OF TERRORISM ACT AGAINST RESIDENTS OF NAMIBIA. USG HAD MADE CLEAR ON OTHER OCCASIONS OUR VIEWS ON IMPROPRIETY OF APPLICATION OF TERRORISM ACT IN NAMIBIA. TERRORISM ACT TRIALS IN 1967 AND 1970 GENERATED WIDE-SPREAD REACTION AND NUMBER OF UN RESOLUTIONS, AND PROVIDED ESPECIALLY USEFUL FOCUS FOR STATES ADVOCATING EXTREME MEASURES REGARDING NAMIBIA APPLICATION OF ACT AT THIS TIME MIGHT PROVIDE RENEWED CREDENTIALS FIGHT IN PROPOSED SPECIAL SESSION OF UNGA. AMBASSADOR THEREFORE URGED THAT SAG RE-APPRISE CURRENT COURSE OF ACTION IT IS FOLLOWING IN NAMIBIA.

4. IN CLOSING, AMBASSADOR INFORMED MULLER OF CONSIDERABLE IMPACT IN US THAT DETENTION OF MERORO AND OTHERS HAS HAD CITING SENATOR HUMPHREY'S STATEMENT, SPECIAL CONGRESSIONAL HEARINGS AND INQUIRIES FROM UNITED CHURCH BOARD AND LAWYERS' COMMITTEE.

5. FONMIN MULLER AND COLLEAGUES LISTENED INTENTLY THROUGHOUT TO AMBASSADOR'S PRESENTATION. FONMIN THEN RESPONDED BY SAYING THAT HE WILL STUDY CAREFULLY POINTS MADE BY AMBASSADOR THAT HE UNDERSTOOD GENUINE CONCERN THAT OCCASIONED OUR DEMARCHE.

HOWEVER, SINCE NEITHER HE NOR DEPARTMENT OF FOREIGN AFFAIRS WAS INVOLVED IN ADMINISTRATION OF SWAN HE WOULD BE UNABLE TO RESPOND IMMEDIATELY BUT WOULD FIRST HAVE TO CHECK WITH HIS COLLEAGUES. HE SAID HE WOULD TREAT SUBJECT AS IMPORTANT AND URGENT ONE BUT CAUTIONED THAT WITH ONLY FEW DAYS LEFT OF PARLIAMENTARY SESSION IT MIGHT BE VERY DIFFICULT TO GET THEM TO FOCUS ON PROBLEM. HE
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PROMISED TO DO HIS BEST AND INFORM US ASAP. HURD

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